

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS

CHARLES MILES, )  
vs. )  
HEATHER ELLISON, et al., )  
Plaintiff, )  
Defendants. )  
Case No. 19-CV-709-SMY

## **MEMORANDUM AND ORDER**

## **YANDLE, District Judge:**

This matter is before the Court on the Report and Recommendation ("Report") of United States Magistrate Judge Reona J. Daly (Doc. 57), recommending the denial of Defendants Heather Ellison and Dr. Shah's Motion for Summary Judgement for Failure to Exhaust Administrative Remedies (Doc. 47). No objections have been filed to the Report. For the following reasons, Judge Daly's Report is **ADOPTED**.

When neither timely nor specific objections to a Report and Recommendation are made, the Court need not conduct a *de novo* review of the Report. *See Thomas v. Arn*, 474 U.S. 140 (1985). Instead, the Court reviews the Report for clear error. *Johnson v. Zema Systems Corp.*, 170 F.3d 734, 739 (7th Cir. 1999). The Court may “accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1).

Here, Judge Daly thoroughly discussed and supported her conclusion that Plaintiff exhausted his administrative remedies. The Court finds no clear error in Judge Daly's findings, analysis and conclusions, and adopts her Report and Recommendation in its entirety. Accordingly, Defendants' Motion for Summary Judgement for Failure to Exhaust Administrative Remedies

(Doc. 47) is **DENIED**.

**IT IS SO ORDERED.**

**DATED: September 23, 2020**

A handwritten signature in black ink, appearing to read "Staci M. Yandle", is overlaid on a circular official seal. The seal contains the text "UNITED STATES DISTRICT COURT" at the top and "SOUTHERN DISTRICT OF TEXAS" at the bottom, with a central emblem featuring a shield and a scale.

**STACI M. YANDLE**  
**United States District Judge**